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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

Mr. William Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: C.C. Docket No. 92-297

Dear Mr. Caton:

Herewith transmitted, on behalf of Telephone and Data Systems, Inc. ("TDS") are an original and four copies of its Comments in the above-reference proceeding.

In the event there are any questions concerning this matter, please communicate with this office.

Very truly yours,


Peter M. Connolly

cc (w/encl.): Leonard Raish, Esq.

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Rulemaking To Amend Parts 1, 2,)
21, and 25 of the Commission's)
Rules To Redesignate the 27.5-)
29.5 GHz Frequency Band, to)
Reallocate the 29.5-30.0 GHz)
Frequency Band, to Establish)
Rules and Policies for Local)
Multipoint Distribution Service)
and for Fixed Satellite Services)

CC Docket 92-297

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COMMENTS

Telephone and Data systems, Inc. ("TDS") hereby submits its Comments on the Federal Communications Commission's ("FCC's") Third Notice of Proposed Rulemaking (the "Third Notice") in the above-captioned proceeding FCC 95-287, released July 28, 1995. TDS holds forty-five common carrier microwave authorizations through its subsidiary telephone companies and nine hundred forty three common carrier microwave authorizations through United States Cellular Corporation ("USCC"), its cellular subsidiary. TDS's wholly owned subsidiary, American Portable Telecommunications, Inc. ("APT") was recently granted 30 MHz PCS licenses in the Houston, TX, Pittsburgh, PA, Minneapolis, MN, Kansas City, MO, Tampa, FL, Columbus, OH, Alaska, and Guam-Northern Marianas Major Trading Areas. Like cellular systems, PCS systems will require large numbers of microwave paths to link base stations to each other and to switching facilities.

Thus, TDS and its subsidiaries are vitally interested in the continuing availability of adequate spectrum for fixed microwave uses.

In the Third Notice, the FCC has proposed to exclude terrestrial microwave services from the 28 GHz band. Under the FCC's Band Segmentation Plan, the 28 GHz band would be allocated to the Local Multipoint Distribution Service ("LMDS") and to fixed and mobile satellite services. The FCC has tentatively refused to allow fixed microwave users any right to use the 28 GHz band.

TDS believes that terrestrial microwave users, whose needs for microwave spectrum have grown explosively in recent years should not be precluded from this spectrum, even if the FCC does open new spectrum for their use in the 37 GHz band, a band with propagation characteristics less favorable than lower frequency bands such as 28 GHz.

TDS concurs in the proposal to be put forward in this proceeding by the Telecommunications Industry Association ("TIA").

TIA asks that the FCC revise its proposed 28 GHz band segmentation plan by (i) allocating 500 MHz of the 28 GHz band (28.35-28.60 GHz and 29.25-29.50 GHz) to point to point microwave services on a shared, co-primary basis with the FSS and MSS and (ii) allocating 300 MHz of the 1,000 MHz proposed to be allocated to LMDS (28.20-28.35 GHz and 29.10-29.25 GHz) specifically for the LMDS Backbone Link Service and point to point microwave services on a shared, co-primary basis.

TIA has, we believe, demonstrated that the legitimate spectrum needs of FSS, MSS and LMDS can be met without precluding use of portions of the 28 GHz band by fixed microwave licensees on a co-primary basis.

TDS understands the difficulty of the spectrum allocation judgments which the FCC must make. But in light of the FCC's often repeated commitment to development of wireless telecommunications, the Commission should take care to ensure that wireless providers will have adequate microwave spectrum to connect their base stations and thus ensure the operability of their systems.

By allocating adequate spectrum to microwave use, the FCC can also ensure that wireless carriers are able to choose the lowest cost infrastructure option, and thus serve the public interest in the lowest cost provision of service.

We believe that TIA's proposals in this proceeding will further that aim and accordingly support them.

Respectfully submitted,

TELEPHONE AND DATA SYSTEMS, INC.

By: 
Peter M. Connolly

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1150 Connecticut Ave., N.W.
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September 7, 1995

Its Attorneys